

103^D CONGRESS
2^D SESSION

H. CON. RES. 262

To express the sense of the Congress that marinas should not be treated as offshore facilities for purposes of financial responsibility requirements of the Oil Pollution Act of 1990.

IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 1994

Mr. GEJDENSON submitted the following concurrent resolution; which was referred jointly to the Committees on Merchant Marine and Fisheries and Public Works and Transportation

CONCURRENT RESOLUTION

To express the sense of the Congress that marinas should not be treated as offshore facilities for purposes of financial responsibility requirements of the Oil Pollution Act of 1990.

Whereas the Oil Pollution Act of 1990 was enacted in part in response to the EXXON VALDEZ oil spill, which discharged approximately 11,000,000 gallons of crude oil into Prince William Sound, Alaska;

Whereas that Act was enacted to prevent similar disasters in the future and to ensure that companies transporting and drilling for oil had sufficient financial resources, insurance, or other means to pay for comprehensive cleanup and environmental restoration in response to discharges of oil into navigable waters;

Whereas that Act required offshore facilities which could pollute navigable waters of the United States to provide proof of financial responsibility of at least \$150,000,000;

Whereas marinas sell gasoline and diesel fuel only, and in fiscal year 1993 reported only 64 gasoline and diesel fuel spills nationwide which resulted in the discharge of a total of 9,642 gallons of gasoline and fuel oil;

Whereas marinas do not have the capital to self-insure or receive letters of credit for \$150,000,000 and insurance policies are unavailable to them for that amount; and

Whereas requiring marinas to demonstrate \$150,000,000 in financial responsibility could drive many of them out of business with subsequent negative impacts on their owners and employees, boaters, and coastal residents: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That it is the sense of the Congress that—

3 (1) marinas should not be treated as offshore
4 facilities for the purposes of section 1016 of the Oil
5 Pollution Act of 1990 (33 U.S.C. 2716); and

6 (2) any regulations under that Act that require
7 offshore facilities to demonstrate \$150,000,000 in fi-
8 nancial responsibility should not apply to marinas.

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